

Message Text

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TO AMEMBASSY DAMASCUS

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INFO AMEMBASSY CAIRO

AMEMBASSY AMMAN

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AMEMBASSY TEL AVIV

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E.O. 11652:GDS

TAGS: PFOR, UN, SY, XF

SUBJECT:POSSIBLE SYRIAN RESORT TO UNITING FOR PEACE

PROCEDURES

REF: DAMASCUS 524

1. FOLLOWING FOR EMBASSY'S INFORMATION IS IN RESPONSE

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QUESTION PARA. 2 REFTEL RE "UNITING FORPEACE" PROCEDURES:

A) FIFTH GA RESOLUTION SO-ENTITLED PROVIDES THAT IF SC UNABLE ACT BECAUSE OF "LACK OF UNANIMITY OF THE PERMANENT MEMBERS" IN ANY CASE WHERE THERE APPEARS BE "THREAT TO THE PEACE, BREACH OF THE PEACE, OR ACT OF AGGRESSION" (CHARTER ARTICLE 39) GA "SHALL CONSIDER THE MATTER IMMEDIATELY WITH A VIEW TO MAKING APPROPRIATE RECOMMENDATIONS TO MEMBERS FOR COLLECTIVE MEASURES, INCLUDING IN THE CASE OF A BREACH OF THE PEACE OR ACT OF AGGRESSION THE USE OF ARMED FORCES WHEN NECESSARY, TO MAINTAIN OR RESTORE INTERNATIONAL PEACE AND SECURITY." UNDER THIS RESOLUTION IF GA NOT IN SESSION "EMERGENCY SPECIAL SESSION" MAY BE CALLED TO MEET WITHIN 24 HOURS BY SC ON VOTE OF ANY NINE MEMBERS OR BY MAJORITY OF UN MEMBERS.

B) THIS RESOLUTION RESULTED FROM US INITIATIVE IN EFFORT INSURE, BASED ON 1950 KOREAN EXPERIENCE WHEN BECAUSE OF SOVIET "WALK OUT" SC HAD BEEN ABLE TAKE

PROMPT ACTION, THAT IN CASE OF ANOTHER ARMED AGGRESSION PROMPT, EFFECTIVE SC ACTION WOULD NOT BE FRUSTRATED BY VETO IN SC. RESOLUTION HAS BEEN FORMALLY INVOKED SIX TIMES, RESULTING IN FIVE EMERGENCY SPECIAL SESSIONS - TWO IN 1956 WITH RESPECT SUEZ AND HUNGARY, RESPECTIVELY, IN 1958 ON LEBANESE-JORDANIAN CRISIS, IN 1960 ON CONGO SITUATION, AND IN 1967 ON MIDDLE EAST. ON SIXTH OCCASION IN 1971 (INDIA-PAKISTAN HOSTILITIES) REGULAR GA SESSION WAS IN PROGRESS. IN ALL CASES EXCEPT THAT OF 1967, DECISION REFER MATTER TO GA MADE BY SC. IN 1967, USSR WROTE UN SYG PROPOSING EMERGENCY SPECIAL SESSION WHICH WHEN MAJORITY OF UN MEMBERS CONCURRED IN SOVIET REQUEST WAS CONVENED. US HAD OPPOSED CONVENING OF THIS EMERGENCY SPECIAL SESSION ON GROUNDS SC STALEMATE ENVISAGED IN "UNITING FOR PEACE" RES DID NOT EXIST SINCE THERE WAS A US DRAFT RES AND A NUMBER OF OTHER PROPOSALS STILL BEFORE SC, AND SC MEMBERS WERE STILL CONSULTING ON POSSIBLE ACTION.

C) GIVEN LAPSE OF TIME SINCE VETO PREVENTED SC ACTION DURING ITS LATEST CONSIDERATION MIDDLE EAST SITUATION, QUESTION COULD BE RAISED RE NEED FOR CONFIDENTIAL

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IMMEDIATE GA CONSIDERATION AS PROVIDED IN "UNITING FOR PEACE" RES. HOWEVER EFFECTIVENESS ANY SUCH DOUBTS IN PREVENTING EMERGENCY SPECIAL SESSION WOULD DEPEND ENTIRELY ON VOTING SITUATION, AS INDICATED BY 1967 PRECEDENT. MOREOVER, WERE DOUBTS RE IMMEDIACY OF SITUATION TO DISCOURAGE REQUEST FOR OR CALLING OF EMERGENCY SPECIAL SESSION, SYRIA COULD ALWAYS REQUEST "SPECIAL" (AS AGAINST "EMERGENCY SPECIAL") SESSION

AS PROVIDED UNDER RULES 8 AND 9 OF GA RULES OF PROCEDURE AND "SPECIAL SESSION" ALSO MUST BE HELD IF MAJORITY OF UN MEMBERS CONCUR IN REQUEST. ONLY REAL DIFFERENCE IS THAT PROCEDURE FOR CALLING "SPECIAL SESSION" AS SET FORTH IN GA RULES DOES NOT ESTABLISH SUCH TIGHT TIME LIMITS AS IN CASE OF "EMERGENCY SPECIAL SESSION."

2. DEPT AND USUN WILL ASSESS LIKELY THRUST OF SYRIAN EFFORTS IN CONTEXT OF SPECIAL OR EMERGENCY SESSION. USUN VIEWS IN THIS RESPECT WOULD BE WELCOME. KISSINGER

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